

COMMISSION MEETING MINUTES

Indiana Fire Prevention and Building Safety Commission

Government Center South
402 West Washington Street
Indianapolis, Indiana 46204
Conference Center Room B

October 5, 2010

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman David Hannum at 9:05 a.m. on October 5, 2010.
 - (a) Commissioners present at the Commission meeting:

Diana M. H. Brenner
Ron Brown
Michael Christoffersen
Michael Corey
Howard W. Cundiff, Vice-Chairman, representing the Commissioner, Department of Health
David Hannum, Chairman
John Hawkins
M. Burke Jones
Matt Mitchell
Ted Ogle
 - (b) Commissioners not present at the Commission meeting:

Kevin Goeden, representing the Commissioner, Department of Labor
 - (c) The following departmental and support staff were present during the meeting:

Legal and Code Services:

Mara Snyder, Director, Legal and Code Services
Gary Bippus, Administrative Law Judge
Shelly Wakefield, Manager of Code Technical Development
John Haines, Code Specialist
John Hibner, Code Specialist
Cecilia Ernestes-Boxell, Code Specialist
Denise Fitzpatrick, Code Specialist
Beth Sutor, Secretary
 - (d) Deputy Attorney General James Schmidt was present.
2. Old Business.

Chairman Hannum called for any corrections or a motion to approve the minutes of the September 8, 2010 meeting as distributed. A motion to approve the minutes as distributed was made by Commissioner Christoffersen and seconded by Commissioner Corey. It was voted upon and carried.

3. Variances.

Tabled Variances.

Variance 10-04-45 (a)(b)(c)(d)(e)(g)(h)(i)(j)(k)(l)(m)(n)(o)(p)(q)(r) Model Mill Building, Noblesville, was represented by Ed Rensink, RTM Consultants. He requested the new application concerning structural loading requirements, (r), be heard. Also present were Hassan Shanehsaz, owner, and Gary Linard, engineer. Mr. Linard had inspected the girders in the area of question. He did measurements and examined them from the floor below, finding them able to support the live load. The horizontal capacity was found to be 8 percent over-stressed. He had assumed that #1 Southern pine had been used in the original construction since, historically, it had been commonly used in the area. Commissioner Hawkins moved to approve for the girders in the third floor, in the area specified in the inspection letter only. Commissioner Corey made the second. Commissioner Brown asked how the safety of firefighters who would respond to a fire in the building would be affected by the capacity. It was explained that there was a safety factor figured in, and that wood structures had a larger safety factor because of the wood. It was again stated that a single engineer or architect was to take responsibility to stop the piece-meal approach, and that a full analysis was to be submitted before the other variances would be considered. A vote was taken on the motion on the floor and was approved with one nay. Commissioner Mitchell abstained. Variance 10-08-8 Kidz Korner Main Entrance Magnetic Locks, Muncie, was represented by Associate Director Sheila Scott. The request was to allow an electronic lock on one leaf of the double front doors. There would be no exterior hardware on the leaf, but it would always function from the interior side. After discussion, Commissioner Christoffersen moved that no variance was required, with the second by Commissioner Cundiff. It was voted upon and carried. The proponent for variance 10-08-37 Hunter's Chase Condominiums, Evansville, had requested the application be tabled for thirty days. Commissioner Cundiff moved to table, with the second by Commissioner Brenner. It was voted upon and carried. Variance 10-08-41 Michigan Road Restaurant and Bar, Indianapolis, did not have a proponent available to present the requested information. Commissioner Christoffersen moved to table, with the second by Commissioner Ogle. It was voted upon and carried. Variance 10-09-6 Rose-Hulman Logan Library Renovation, Terre Haute, was now complete and had an "A" rating by staff. Commissioner Christoffersen moved to approve, with the second by Commissioner Jones. It was voted upon and carried. Variance 10-09-9(a)(b) Whosoever Will Full Gospel Church Addition, Dugger, was represented by Jason Martin, a Church Elder. The request was to omit sprinklers, and he presented information the Commission had requested at the previous meeting. The addition was a minimum of 159' from any property line. Adults would have their Sunday school classroom on the second floor, and children on the first floor. The corridors are rated, and some of the classrooms have direct exiting to the exterior. After discussion, Commissioner Hawkins moved to approve both (a) and (b), with the second by Commissioner Cundiff. It was voted upon and carried with one nay. Variance 10-09-10(a)(b) Fifth/Third Bank Security Vestibule, Indianapolis, was represented by Curt Galloway, owner of Stegal, Inc. It had been determined by Fifth/Third that this was an at-risk branch for armed robberies, and had requested the use of the security entrance system based on electronic locks. The locks would respond to the 15-second constant pressure override, fail open at loss of power or alarm, and both doors would open with a teller control button. The local fire department felt that special knowledge was needed to operate the doors. It was noted the doors are under constant observation by the tellers, and that no man-trap is created as it is always possible to exit the first (exterior) door. After further discussion, Commissioner Hawkins moved to deny, with the second by Commissioner Mitchell. It was voted upon and carried. Variance 10-09-25 Big Red Apartments, Bloomington, was represented by Melissa Tupper, RTM Consultants, and Tim Cover, Studio 3 Design. The proponent had been asked to determine if the second floor corridor was rated, and they reported it was 1-hour. They also noted a fire alarm system would be installed throughout the building and existing apartments. Smoke detectors would also be interconnected, and egress windows provided. After discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried with one nay vote.

4. Breaking and reconvening. Chairman Hannum recessed the Commission at 10:25 a.m. He then reconvened the meeting, calling it back to order at 10:42 a.m.

Variance 10-08-8 Kidz Korner Main Entrance Magnetic Locks, Muncie, was brought back to the attention of the Commission. It had been found by staff that the door does need to comply with code, and a variance would be required.

Commissioner Hawkins moved to rescind the previous action and to approve. Commissioner Cundiff made the second. It was voted upon and carried.

New Variances.

Chairman Hannum asked for any variances which the Commissioners wished to have called out. None were called out. Commissioner Brenner abstained from voting on 10-10-27 JW 3 Meal Outdoor Seating JW Marriott Hotel Complex, Indianapolis. Commissioner Christoffersen moved to approve all “A” and “B” variances, with the second by Commissioner Mitchell. It was voted upon and carried.

The following variances were approved as submitted:

- (1) 10-10-1 1716 N. Lincoln Egress Window, Bloomington
- (2) 10-10-2 Stork Place Apartments, Huntingburg
- (3) 10-10-4 Northwest Plaza, Indianapolis
- (4) 10-10-7 Northlane Condominiums Windows, Bloomington
- (5) 10-10-11 1701 & 1726 N. Lincoln College Park Condominium Windows, Bloomington
- (6) 10-10-12 IU Multidisciplinary Science Building Behavior Lab Build-Out, Bloomington
- (7) 10-10-14 1731 N. Lincoln Street College Park Condo Windows, Bloomington
- (8) 10-10-15 9 North, Bloomington
- (9) 10-10-16 Hillside Terrace Apartments, Bloomington
- (10) 10-10-19 Indianapolis Museum of Art, Indianapolis
- (11) 10-10-22(d) Indiana Masonic Home Inc, Franklin
- (12) 10-10-23 Lilly Building M98C Exhaust Manifold, Indianapolis
- (13) 10-10-24 Delta High School Mechanical Retrofit, Muncie
- (14) 10-10-25 Martin House, Seymour
- (15) 10-10-30(c) Village On the Green Parcel 7C Main Theater 2C-1, Carmel
- (16) 10-10-31(b) The Avenue, Indianapolis
- (17) 10-10-33 705 Grant Street Egress Windows, Bloomington
- (18) 10-10-42(b) Old YMCA Project, Marion

The following variances were heard separately:

- (19) 10-10-3 Porter Replacement Hospital, Valparaiso

Charles Keslin, Keslin Engineering, spoke as proponent. The request was to allow the hospital to have a seismic design per Category “A” instead of “B”, due to the type of soil. This had been approved for hospitals in Porter County previously. Commissioner Christoffersen moved to approve, with the second by Commissioner Cundiff. It was voted upon and carried.

- (20) 10-10-5 Posey County Co-Op Office/ Maintenance Shower, Mt. Vernon

No proponent was available for questions. Commissioner Cundiff moved to table, with the second by Commissioner Ogle. It was voted upon and carried.

- (21) 10-10-8 Norm’s Place, Portland

Norman Peterson, owner, appeared as proponent. The request was to omit the second restroom called out by the CDR. The business has seating for 52, which would be reduced to 44. It would also make a second exit impossible to provide. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried, with one nay vote.

- (22) 10-10-9 Michiana Event Center, Howe

Freeman Miller, partner, spoke as proponent. The request was to allow the existing building and additions to be over area. The building is sprinklered, and a fence on the north side will be removed to allow the fire department 30 feet of access around the building. Five new exit doors are to be installed to improve exiting. Following discussion, Commissioner Cundiff moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

- (23) 10-10-13 Ivy Tech Community College Fall Creek Expansion, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow two existing stairs which serve all five floors of the building to remain non-compliant. Two new, compliant stairs serving all five floors were to be added. The existing center stairs meet the requirement for rise and run except for the first floor, and the handrails are at 33½". Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Cundiff. It was voted upon and carried.

- (24) 10-10-10 Classic City Center for Arts & Athletics Soccer Field, Waterloo

Tim Callas, J & T Consulting, spoke as proponent. The field had received a variance containing a condition that certain areas would be sprinklered. The city has delayed bringing water to the site, making compliance impossible. The request was for a year's extension to the life of the variance. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Cundiff. It was voted upon and carried.

- (25) 10-10-18 PNC Office Remodel Floors 2, 3, 7, 4, 5, & 6, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The Hyatt Regency in the PNC Bank Tower is adding doors and meeting areas which affect the glass wall of the atrium. The atrium had been constructed before regulations were in place for atriums, and, therefore, it wasn't separated as currently required. The proponent felt the sprinkler system, in place throughout the building, was good enough to protect the building even with the modifications. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Cundiff. It was voted upon and carried.

- (26) 10-10-20 IU Informatics Office & Classroom Addition, Bloomington

Ed Rensink, RTM Consultants, spoke as proponent. An addition between two existing buildings cannot exactly match up floor plates. An inclined vertical platform lift on the second and third floors, added for convenience of occupants and not accessibility requirements, will not meet the headroom requirements due to obstructions caused by beams. The headroom was not a problem for a person seated in a wheelchair, and anyone not in a chair using the lift would be required to use the jump seat and seatbelt. Noting the proponent should pad the beam and provide signage, Commissioner Cundiff moved to approve, with the second by Commissioner Christoffersen. Commissioner Corey then asked for a bump bar with an automatic shut off on the beam to shut down lift if struck to be installed, with the maker and second agreeing. It was voted upon and carried.

- (27) 10-10-21(a)(b) Lawrence Branch Banking Facility, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. Also present was Matt Brown, architect. The issue in variance (a) was a non-compliant turning radius in the security vestibule. Following a discussion of bank procedures for assisting patrons in wheelchairs into the bank and the lack of funds to install a compliant unit, Commissioner Cundiff moved to deny. Commissioner Brenner made the second. It was voted upon and carried. Variance (b) was a request for a delayed egress exit controlled by magnetic locks. The first door of the security vestibule must be closed before the second door, fitted with panic hardware, will operate, usually taking less than the typical 15 second delay

allowed by Commission. Both doors will release at alarm or power failure, and they will release in unison. The Lawrence Fire Department does not object to the variance. Following discussion, Commissioner Christoffersen moved to approve with the condition that no man-trap is created. Commissioner Hawkins made the second. It was voted upon and carried with 4 nay votes.

(28) 10-10-22(a)(b)(c) Indiana Masonic Home, Franklin

Ed Rensink, RTM Consultants, spoke as proponent. The issue in variance (a) was that a rated corridor wasn't to be provided for the dining room and day rooms. These areas are open to the corridor to provide a more home-like atmosphere. An interconnected smoke detection system and an NFPA 13 system are provided. Commissioner Cundiff moved to approve, with the second by Commissioner Ogle. It was voted upon and carried. Variance (b) was to allow non-rated doors and sidelights in some areas of the corridor. Dwelling unit doors would be rated. Sprinklers were to protect unrated openings. Following discussion, Commissioner Cundiff moved to approve, with Commissioner Christoffersen making the second. It was voted upon and carried. Variance (c) was to allow the central, monumental stair to be over the allowable area. It was not a required stair, and would have a bulkhead and close-spaced sprinklers. Following discussion, Commissioner Cundiff moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

(24) 10-10-26 White Lodging Corporate Headquarters, Merrillville

Ed Rensink, RTM Consultants, spoke as proponent. The request was to omit rated corridors in the existing building due to the open floor plan. Fewer full-height walls increased visibility of exits, and an emergency generator system will maintain power for egress and exit lights. A smoke detection system was installed in the plenums, and the building maintains a fire and smoke alarm system. Five exits were provided to decrease travel distance. Storage areas were separated by 1-hour construction. Following discussion, Commissioner Brenner moved to approve, with Commissioner Cundiff making the second. It was voted upon and carried with one nay vote.

(25) 10-10-27(a)(b)(c) JW 3 Meal Outdoor Seating JW Marriott Hotel Complex, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. In variance (a), a glass canopy/roof, attached to the high-rise hotel, should be 1-hour rated per code. The outdoor dining area will be sprinklered, but contains only a service bar and station and no kitchen. The glass was to be safety glass. Variance (b) was to allow an exit discharge to pass through part of the outdoor seating area. A clear and dedicated path to the public right-of-way would be provided. Variance (c) was to allow a fire pit, cited by Indianapolis inspectors for not complying with requirements for a heating appliance, to be installed. It had no open flame and was not located beneath the canopy/roof of the restaurant. During the review, staff felt that no variance was required. Commissioner Christoffersen moved that no variance was required for (c), with the second by Commissioner Ogle. It was voted upon and carried. Commissioner Cundiff moved to approve both (a) and (b), with the second by Commissioner Ogle. It was voted upon and carried.

(26) 10-10-28 The Gardens at Castle Creek Garden Office #3, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to omit the rated corridor in the dentist office. Commissioner Hawkins, having looked at the plans, felt the occupant load may have been lower than the 50 listed by the proponent, and rated corridors aren't required if it's under 30 occupants. It was also questioned if the area was a true corridor. Following discussion, Commissioner Hawkins moved that no variance was required. Commissioner Brenner made the second. It was voted upon and carried.

(27) 10-10-29(a)(b) KATC Renovation, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. An existing health club was being converted to offices. Variance (a) was to allow the use of Chapter 34 without fully complying with all of the requirements of Section 3410.6.11. A proposed code change under consideration in LSA Document #10-251 would change this requirement. The building is sprinklered. Following discussion, Commissioner Cundiff moved to approve, with the second by Commissioner Ogle. It was voted upon and carried. Variance (b) was to allow the mezzanine to be used for a running track, though it exceeds the allowable distance for common path of travel. Part of the area will be used for a lounge with a pool table, and the occupant load will be 28 persons. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Jones. It was voted upon and carried.

(28) 10-10-30(a)(b)(d)(e)(f) Village On the Green Parcel 7C Main Theater 2C-1, Carmel

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Variance (a) was to allow the stair enclosures from the second and third floors to discharge through the first floor lobby. Following discussion, the proponent requested it be tabled. Commissioner Hawkins moved to table, with the second by Commissioner Ogle. It was voted upon and carried. Variance (b) a 44 foot long 2-hour fire wall separating two buildings will have door openings totaling 18 feet. Both buildings will be sprinklered, and the doors will be 90 minute rated assemblies. Following discussion, Commissioner Cundiff moved to approve, with the second by Commissioner Ogle. It was voted upon and carried. Variance (d) was to allow a GFCI instead of a shunt trip on the lift used to get people on stage. Commissioner Corey moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried. Variance (e) was to allow a handrail on only one side of the stairs to the stage instead of the two required by code. This was intended to prevent the line of sight for the audience from being obstructed. Commissioner Cundiff moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried. Variance (f) was to allow two stairs located on each side of the stage front wall to be only 36" wide instead of code-required 44". The stairs are intended to allow audience interaction by the performers. Three code-compliant exits will be provided from the stage for emergency use. Commissioner Christoffersen moved to approve, with the second by Commissioner Ogle. It was voted upon and carried.

5. **Breaking and reconvening.** Chairman Hannum recessed the Commission for lunch at 11:55 a.m. He then reconvened the meeting, calling it back to order at 1:00 p.m.

(29) 10-10-31(a)(c)(d)(e) The Avenue, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Variance (a) was to omit the stand-by generator for the elevator. The building will be sprinklered. The current ADAAG does not require standby power for elevators for long term housing, and the GAR allows ADAAG to be an alternative method. Following discussion, Commissioner Jones moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (c) was a request to use PVC piping for the 5-story building roof drainage system. Code limits it to 3-story buildings. The International Plumbing Code allows the use of PVC for storm drainage in buildings over three stories. Following discussion, Commissioner Cundiff moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried. Variance (d) was to allow the use of PVC piping penetrations of 1-hour floor/ceiling and roof/ceiling assemblies which aren't enclosed by fire-rated shafts. The building will be sprinklered, and the penetrations will be protected by fire stopping. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Cundiff. It was voted upon and carried. Variance (e) was to omit attic access. The roof truss diagonal bracing and insulation will limit 30" of attic space intermittently, totaling approximately one-third of the total attic. Following discussion, Commissioner Hawkins moved to

approve, with the second by Commissioner Christoffersen. It was voted upon and carried. After the vote, it was suggested that this issue should possibly be looked at for a code change.

(30) 10-10-32 Jasper County Hospital Addition and Remodel, Rensselaer

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the removal of occupant use standpipe cabinets and equipment. A sprinkler system is to be installed, so standpipes are not required. Commissioner Hawkins moved to approve, with the second by Commissioner Cundiff. It was voted upon and carried.

(31) 10-10-34 Eastbrook Elementary School, Indianapolis

Brian Davis, Metropolitan School District of Pike Township, spoke as proponent. For three years, the time-out room in the school had been cited for having a lock which required special knowledge to open by Pike Township Fire Department. Staff felt that the door was obstructed, and that the lock itself was the obstruction. The lock is engaged when constant pressure is placed on a touch pad by the observer just outside the door. The door is fitted with a glass window, and there is no handle on the inside of the door with which to open it. Al Kaplin, Chief of Police for Pike Twp. Schools, described the working of the door for the Commission. Steve Jones, Pike Twp. Fire Marshal, presented information on these rooms. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Cundiff. Commissioner Brown asked that the motion be amended to have the school file a plan and procedure for the use of the room with the fire department. Megan Eihler, Special Education faculty for Pike Twp. Schools, explained that a crisis team response would be in place before the use of the time-out room, and that two adults would be within 5 feet of the door. With the fire department comfortable with the procedures in place, Commissioner Brown withdrew his motion. The motion by Commissioners Christoffersen and Cundiff was then voted upon and carried.

(32) 10-10-35 Open Door Fellowship Church, Kouts

Melissa Tupper, RTM Consultants, spoke as proponent. Also present were Jerald Kandel, Pastor, and Ed Rensink, RTM Consultants. Plans for the 7,000 square foot addition had been conditioned by Plan Review that it must be sprinklered. The variance was a request to omit the sprinklers. There is to be a two-hour fire barrier used to separate the two buildings in this rural location. The primary function of the space was as a sanctuary, but there was to be no fixed seating, allowing for other uses as they arose for the congregation of 150 members. The kitchen in the area is a warming kitchen only. Following discussion, Commissioner Cundiff moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried, with 2 nay votes.

(33) 10-10-36(a)(b)(c)(d) Commons South Parking Garage & Housing, Columbus

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. He explained that variance (a) and (b) had been approved under a previous variance. However, since that time, HUD had become involved with the project and had hired a company to do a review. They had recommended that they be re-done. Commissioner Ogle moved to approve, with the second by Commissioner Brenner. It was voted upon and carried. Variance (c) was to omit the required attic access openings. The building was sprinklered, and the attic space filled with trusses and insulation making entry through a 20"x40" access difficult. He felt the firemen would need to cut through the ceiling for easy access. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Cundiff. It was voted upon and carried. Variance (d) was a request to allow a dead-

end corridor of 28 feet for a leasing office in a building with an NFPA 13 system on the first floor only, and an NFPA 13R throughout the rest of the building. Following discussion, Commissioner Cundiff moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

- (34) 10-10-37 Swonder Ice Arena, Evansville

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow a cross aisle width of less than a compliant 42" for the temporary bleachers along the west side of the existing, sprinklered ice rink. This variance request is for this season only since a new arena is now under construction. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

- (35) 10-10-38 Mosaic Events, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. A building from the 1960's had two additions which made it into a strip mall configuration. The portion currently being used as a church was to be converted to a banquet/event hall. The request was to be allowed to use 2-hour fire barriers in lieu of the 2-hour fire walls required by code to separate this portion of the building. They will use fire barrier walls from the floor through the rafters, ending at the roof deck. No other construction was to be done. A fire alarm system was to be installed. A question about the calculation of the occupancy load arose following comments by Lonnie Lagle, Fire and Building Code Enforcement. Commissioner Ogle moved to table, with the second by Commissioner Cundiff, so the proponent could provide a layout of uses and Chapter 34 score sheet. It was voted upon and carried.

- (36) 10-10-39 Crowne Plaza Hotel Pedestrian Connector, Indianapolis

Christina Colleter, RTM Consultants, spoke as proponent. The request was to allow the connector to not comply with the Energy Conservation Code. Located on a historic railway bridge crossing the cultural trail, full height glazing has been chosen to minimize the impact of the pedestrian bridge on the surrounding view. A single water source heat pump will condition the walkway, and a daylight harvesting system will be used. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

- (37) 10-10-40 Arts Garden Exterior Stair Removal, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The exterior stair was to be removed and replaced with an elevator connector to the PNC Center. Four exits are required from the Arts Garden, and, with the removal of the stair, the area becomes non-compliant. The variance was a request to allow the Arts Garden to continue occupancy for one year during the construction of the connector, with the maximum occupant load to be reduced to 500 persons at any event. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Cundiff. It was voted upon and carried. Commissioner Brenner abstained.

- (38) 10-10-41 Legend Park Fall Event, Mishawaka

Rick Singleton, Legend Park, spoke as proponent. The request was to omit the sprinkler system requirement for the period of five weeks during which the Fall event is held. During hours of operation, a fire watch will be instituted, as well as EMS and local law enforcement officials on site. Each room is under visual monitoring at a central station, and floor staff move with the crowd through their assigned areas during operation hours. A fire detection system is in place with additional pull stations having been added, and staff is trained in evacuation and emergency

procedures. The building can be emptied in less than sixty seconds. After discussion, Commissioner Cundiff moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

(39) 10-10-42(a) Old YMCA Project, Marion

Mike Askren, Kone Elevator, spoke as proponent. The elevator in the existing building was being replaced. It had been constructed before the current Building Code standards went into effect. The elevator hoistway was not designed to accommodate a stretcher, as is now required, without demolition and reconstruction due to structural steel beams. The request is to allow the elevator to remain noncompliant. Following discussion, Commissioner Cundiff moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

6. **New Business – General.**

Discussion and Possible Commission Action

Main Gate Sports Bar
Administrative Cause No. 10-07
Approval of Change of Use
Nonfinal Order of Dismissal

Lexington Park Apartments
Administrative Cause No. 10-13
Order – Indianapolis Fire Department
Nonfinal Order of Dismissal

Jay County Security Center
Administrative Cause No. 09-50
Order – Fire and Building Code Enforcement
Nonfinal Order of Dismissal

George Panagopoulos
Administrative Cause No. 10-24
Order – Goshen Building Department
Nonfinal Order of Dismissal

Jockamo Upper Crust Pizza
Administrative Cause No. 10-21
Condition of Design Release
Nonfinal Order of Dismissal

Commissioner Corey moved to affirm the Nonfinal Orders. Commissioner Cundiff made the second. It was voted upon and carried.

Discussion and Commission Action on Petitions for Review (All are timely filed unless otherwise noted.)

Interpretation – Building Law Compliance Officer
Appeal of Denial Letter

Moster Mortuary
Appeal of Denial Letter

Commissioner Cundiff moved to grant the petitions for review. Commissioner Jones made the second. It was voted upon and carried.

7. Reconsideration of variance 10-09-41 Teen Center, Indianapolis

The missing notification letter to the local Fire Official had been submitted, and the file was now complete. No further action was needed.

8. Discussion of LSA Document#10-251, the “clean-up” rule for the Building, Fire and Mechanical codes

Chairman David Hannum announced agenda item 8, beginning the discussion and possible adoption of LSA Document #10-251. He noted that a copy of the summary of the public hearing held September 9, 2010 and a copy of the proposed rule were included in the packets of information for each Commissioner. He then called for discussion or a motion.

Commissioner M. Burke Jones moved to approve LSA Document #10-251 as published in the Indiana Register on July 28, 2010 as DIN: 20100728-IR-675100251PRA. Commissioner John Hawkins made the second. It was voted upon and carried.

9. Discussion and possible chase amendments to the Energy Code

Mara Snyder, Director of Legal and Code Services, asked to hold an open meeting to discuss the four issues commonly surrounding the Energy Code, then report the findings to the Commission at the November or December meeting. The issues to be discussed are: If you don't do work in a building, does it have to comply; Are buildings built before 1978 exempt; What does rehabilitation mean; Pedestrian walkways and greenhouses. Commissioner Hawkins also had questions concerning Chapter 34 and the Energy Code, and also the issue of unconditioned buildings.

10. Chairman Hannum welcomed Shelly Wakefield to the staff of the Fire Prevention and Building Safety Commission. She will be serving as Manager of Code Technical Development.

11. Comments

Mara Snyder, Director of Legal and Code Services, had no additional comments.

12. **Adjournment.**

Chairman Hannum adjourned the meeting at 2:32 p.m.

APPROVED _____
David Hannum, Chairman